Remarks:

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-35 and 37-39 are pending in the application. No claims have been allowed. Claims 1, 22, 23, 27, 29, 31, 33, 34, 38, and 39 are independent.

Cited Art

U.S. Patent No. 6,393,289 to Bunting et al. ("Bunting") is entitled "Apparatus, method, and system for wireless telecommunication session control by an adjunct network entity."

U.S. Patent No. 6,549,613 to Dikmen ("Dikmen") is entitled "Method and apparatus for intercept of wireline communications."

U.S. Patent No. 6,381,306 to Lawson et al. ("Lawson") is entitled "System and method for monitoring service quality in a communications network."

U.S. Patent No. 5,881,145 is to Giuhat et al. ("Giuhat").

U.S. Patent No. 6,052,589 is to Persson et al. ("Persson").

U.S. Patent No. 5,550,911 is to Bhagat et al. ("Bhagat").

U.S. Patent No. 6,601,013 is to O'Brien ("O'Brien").

Patentability of Claims 1-11, 15-17, 19-20, 22-36, and 38-39 over Bunting, Lawson, and Dikmen under § 103

The Action rejects claims 1-11, 15-17, 19-20, 22-36, and 38-39 under 35 U.S.C. § 103(a) as unpatentable over Bunting, Lawson, and Dikmen. Applicant respectfully submits the claims in their present form are allowable over the cited art. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (MPEP § 2142.)

Motivations to combine or modify references must come from the references themselves or be within the body of knowledge in the art. (*See* MPEP § 2143.01.)

Claim 1

Claim 1 as amended recites in part (emphasis added):

> *correlating the first call leg directed the a second switch by the first switch and the second call leg directed to the first switch by the second switch* via the outgoing correlation key associated with the first call leg directed to the second switch by the first switch with the incoming correlation key associated with the second call leg directed to the first switch by the second switch; and
>
> as a result of at least correlating the first call leg directed to the second switch by the first switch and the second call leg directed to the first switch by the second switch, sending an electronic surveillance message indicating the destination identifier.

For example, the Application describes at page 2, lines 22 et seq.:

> In disclosed embodiments, call legs can be correlated via a correlation key to generate and send an appropriate electronic surveillance message.

Further disclosure is found at FIG. 2 (store correlation information for outgoing leg; based on correlation information, correlate incoming leg related to outgoing leg; construct message), and the Application at page 6, lines 7-16 describes et seq.:

> At 214, based on call setup signaling information for an incoming leg and the stored correlation information, an incoming leg corresponding to the outgoing leg is detected and correlated...At 216, as a result of correlating the call legs, an electronic surveillance message indicating the destination is constructed...

In the rejection, the Action relies on Bunting and Lawson as teaching correlating and Dikmen as teaching electronic surveillance. Applicant disagrees. Because Lawson is relied on as teaching the recited correlating, Applicant focuses on how Lawson fails to provide sufficient disclosure in a Buntin-Dikmen-Lawson combination.

Lawson's description of Call Detail Records (CDRs) does not teach or suggest the recited "correlating the first call leg . . . and the second call leg . . .via the outgoing correlation key" of claim 1. The Action relies on Lawson for the recited feature related to correlating call legs. Applicant has amended the claim to clarify the emphasis on call leg correlation, which is not found in the cited references, alone or in combination. For example, Lawson describes at column 10, line 33 et seq.:

> For example, under the North American Numbering Plan, reports may be created for fall telephone numbers (i.e. 1-NPA-NXX-XXXX). Alternatively, wildcards can be used at the end of the grouping telephone number so that statistics are reported for all calls or transactions directed to a particular area code (i.e. 1-NPA) or a particular exchange code . . .

*   *   *

Users can also configure QA report application 207, via QA report GUI 208, to create their own query parameters. Queries can be stored in database 206 and stored queries can be modified. Reports from QA report application 207 may be displayed to the user on QA workstation 132. Alternatively, reports may be printed, directed to an electronic mail address, stored to a database file, or exported to an ASCII file. Users can configure weekly, monthly, or other periodic reports which are sent at intervals to specific users. Such periodic reports may be assigned to QA report application 207 to be run automatically.

*   *   *

Real-time statistics are also available from QA report application 207. Statistics are then updated after call or transaction completion and CDR generation. Displayed reports may be in the form of peg counts, bar graphs, or trend curves. Users may also configure reports based upon a sample of the calls or transactions or based upon a sample of the CDRs. The sampling rate may be selected using CDR generation GUI 204 on the user workstation.

Thus, Lawson does describe "reports may be created for . . . telephone numbers (i.e. 1-NPA-NXX-XXXX)" and "[u]sers can also configure QA report application 207, via QA report GUI 208, to create their own query parameters." Further, Lawson describes "[u]sers may also configure reports based upon a sample of the calls or transactions or based upon a sample of the CDRs." However, for all its description of what can be done, Lawson fails to discuss "correlating the first call leg and the second call leg" as recited in claim 1.

Accordingly, the claim distinguishes over the combinations involving Lawson.

Further, Lawson's description of call legs would not lead one of skill in the art to the recited "as a result of at least the call leg correlating, sending an electronic surveillance message." Lawson describes at column 8, line 13-34 et seq.:

Monitor links 123 capture messages from network links, such as 111, 110 and 114, in the SS7 network. The messages are provided to a call/transaction processing application, such as Call/Transaction Tracking Processor (CTTP) 201. Monitor 120 comprises a number of versatile processors which may be assigned to process and correlate calls, transactions, or other messages. One or more of these processors run CTTP application 201 depending upon the volume of message traffic received from the SS7 network...

*   *   *

Monitor 120 also comprises CDR application 202, which runs on another processor. CDR application 202 receives correlated message records from CTTP application 201 and filters the records using a CDR profile. Ideally, CDR application 202 receives complete records for each call and transaction from CTTP application 201. However, depending upon the state of a particular call or transaction, partial records may be provided. CDR application 202 collects messages for call legs and generates a Call Detail Record.

Thus, Lawson does describe "processors which may be assigned to process and correlate calls, transactions, or other messages" and "CDR application 202 collects messages for call legs and generates a Call Detail Record." However, even though call legs are mentioned, Lawson has insufficient disclosure that would lead one to send an electronic surveillance message *as a result of* call leg correlation as recited by claim 1.

So, the claim further distinguishes over combinations involving Lawson.

Finally, even if Lawson could somehow be interpreted as correlating call legs, its description does not indicate that call legs for particular switches (e.g., "the first call leg directed to a second switch by a first switch and the second call leg directed to the first switch by the second switch") would be correlated as recited in claim 1. Even though Applicant does not find the other recited features in Lawson, Applicant has further clarified the claim by adding that correlation is done for call legs of particular switches. Although Table 1 (at column 6) of Lawson includes description of OPC and DPC Point Codes, Lawson does not contain sufficient disclosure that would lead one to the recited arrangement which involves correlation for certain call legs from particular switches.

Without belaboring the details concerning the other references, Applicant notes that they contain insufficient additional disclosure that would lead to the recited arrangement. The Action points to Bunting (e.g., FIGS. 1-3, column 4, lines 4-24, and lines 43-67). Applicant acknowledges that Bunting does describe an "incoming call leg" and an "outgoing call leg." Further, Dikmen does describe a "subject under surveillance." However, the references do not contain sufficient detail that would lead to the recited correlation feature, which involves a particular arrangement of call legs and switches.

For at least these reasons, claim 1 and its dependent claims, 2-21, are allowable over a Bunting-Dikmen combination. Claim 22 contains similar language and is therefore also allowable.

Claim 23

  Claim 23 already contains language about "a first call leg related to a service request directed to the second switch by the second switch." To further clarify, Applicant has added additional language.

  For at least these reasons, claim 23 and its dependent claims, 24-26, are allowable over Bunting in view of Dikmen and further in view of Lawson.

Claim 27

  Claim 27 recites "sending a destination-indicating electronic surveillance message to a site monitoring a call related to the call legs" and is therefore allowable over Bunting-Dikmen-Lawson with its dependent claim, 28.

Claim 29

  Claim 29 recites "for the call redirected to the service platform switch for service processing" and is therefore allowable along with its dependent claim, 30, over a Bunting-Dikmen-Lawson combination.

Claim 31

  Claim 31 recites "as a result of at least employing the correlation key to correlate the first outgoing call leg with the second incoming call leg, providing the destination of the second outgoing call leg to law enforcement monitoring the first incoming call leg" and is therefore allowable with its dependent claim, 32, over a Bunting-Dikmen-Lawson combination.

Claim 33

  Claim 33 recites "redirecting the call to the service platform switch as a first call leg, wherein the redirecting comprises passing an outgoing identifier via call setup signaling, wherein the outgoing identifier is associated with the first call leg" and is therefore allowable over a Bunting-Dikmen-Lawson combination.

Claims 34 and 38

Claim 34 recites "correlation key sending logic operable to limit sending correlation keys to call legs related to the parties indicated as under surveillance in the stored list" and is therefore allowable along with its dependent claims, 35 and 37, over a Bunting-Dikmen-Lawson combination. Claim 38 contains similar language and is therefore also allowable.

Claim 39

Claim 39 recites "upgrading at least one switch in the switching system to implement correlation to correlate call legs in the hairpin loop scenario and generate a destination-indicating electronic surveillance message responsive to the correlation" and is therefore allowable over a Bunting-Dikmen-Lawson combination.

Additional Rejections

Applicant recognizes that the Action asserts Giuhat, Persson, and O'Brien against claims 12, 21, 37, 13, 14, and 18. As understood by Applicant, these references fail to add sufficient additional disclosure that would render claims 1 or 34 obvious. Accordingly, Applicant does not belabor the language in each of these claims with respect to the asserted references, but instead points out that these claims are allowable because they depend from allowable claims.

Request for Interview

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicant submits the foregoing formal Amendment so that the Examiner may fully evaluate Applicant's position, thereby enabling the interview to be more focused.

This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.
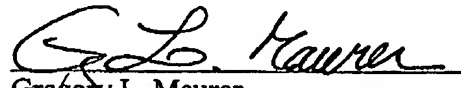
Conclusion

The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

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